

REMARKS

Upon entry of the present amendment, claims 14, 16-24 and 31-33 will be pending in the application. Claims 25-30 will be cancelled, and claims 31-33 will be newly added. Claims 1-13 and 15 were previously cancelled. Entry of the present amendment, reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

As an initial matter, Applicants wish to thank the Examiner for allowing claims 14-24. However, Applicants note that claim 15 was previously cancelled. Thus, Applicants believe the Examiner intended to indicate that claims 14 and 16-24 are allowable, and request confirmation in the next Official Communication.

Applicants also thank the Examiner for indicating that he has considered all of the documents cited in the Information Disclosure Statement filed on December 29, 2004, by returning an initialed copy of the PTO-1449 Form which was re-submitted on December 6, 2005.

In the Final Office Action, the Examiner rejected claims 25-30 under 35 U.S.C. § 102(b) as being anticipated by Johnson et al. (International Publication No. WO 99/59363). Upon entry of the present amendment, claims 25-30 will be cancelled, merely for the purpose of expediting prosecution of the present application to issue. Thus, the cancellation of claims 25-30 should not be viewed as acquiescence by Applicants to the propriety of the rejection.

Upon entry of the present amendment, new claims 31-33 will be added. Claims 31-33 are directed towards a terminal apparatus which includes, inter

alia, an acquisition-scheduled content determiner that determines content corresponding to a position in which the content is expected to be referred to after moving and which is outside a communication-capable area, from a content list managed by a content list manager based on a present position of the terminal apparatus detected by a position detector, and sets the determined content as acquisition-scheduled content. Thus, the embodiment defined by claim 31 can search a content list provided in the terminal without having to communicate with a server regarding position information. Applicants respectfully submit that the applied prior art fails to disclose or suggest these features, and thus requests the Examiner to indicate the allowability of claim 31.

Further, Applicants submit that claims 31-33 recite features which are similar to those recited in claims 14-24, which have been allowed, and thus submit that these claims do not raise new issues requiring further search and/or consideration by the Examiner.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

SUMMARY AND CONCLUSION

Applicants recognize that the current status of the present application is after-Final. However, Applicants respectfully submit that entry of the present amendment is proper under the current circumstances, as it is submitted that the present amendment does not raise new issues requiring further search and/or consideration.

Entry and consideration of the present amendment, reconsideration of the

outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate.

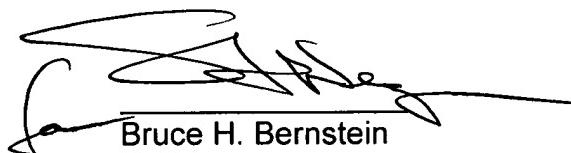
Applicants have made a sincere effort to place the present invention in condition for allowance and believe that they have now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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